



Dated: August 16, 2024
The following is ORDERED:

A handwritten signature in black ink, appearing to read "M. Ruthie Hagan".

M. Ruthie Hagan
UNITED STATES BANKRUPTCY JUDGE

UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION

In re:

Kenneth Wayne Watkins,

Debtor.

Case No. No. 23-26186-MRH

Chapter 13

Judge M. Ruthie Hagan

**AGREED ORDER RESOLVING OBJECTION TO CONFIRMATION AS TO MIDFIRST
BANK REGARDING REAL PROPERTY LOCATED AT 38 CYPRESS POINT ROAD,
WESTAMPTON, NEW JERSEY 08060**

This proceeding came before the Court on July 17, 2024, on the objection to confirmation filed by MidFirst Bank (*Creditor*) (ECF. No. 26) regarding the home mortgage loan covering the real property known as 38 CYPRESS POINT ROAD, WESTAMPTON, NEW JERSEY 08060 (“the Property”). There were no responses to the Objection. The parties agree as follows:

1. The Debtor has a joint interest in the Property with Co-Debtor Topaza Watkins-Edmonds, in which Creditor has a valid and subsisting first mortgage lien. The Property is not the Debtor’s principal residence.

2. On May 30, 2019, Debtor, Kenneth W Watkins, along with Topaza Watkins-Edmond, executed and delivered a Note (“Note”) and Deed of Trust (“Mortgage”) securing payment of the Note in the principal sum of \$289,165.00 to Family First Funding, LLC. The Mortgage on the Property was recorded on June 25, 2019, at Book OR13393, page 7752, in the Register’s Office for Burlington County, New Jersey.

3. MidFirst Bank is the current mortgagee and the owner of the Note and has the right to enforce the Mortgage.

4. The Debtor hereby surrenders to MidFirst Bank, their successors and assigns, his interest in the real property commonly known as 38 CYPRESS POINT ROAD, WESTAMPTON, NEW JERSEY 08060 (“the Property”). Upon entry of this Agreed Order the stay under 11 U.S.C. § 362(a) will be terminated as to the collateral only and the stay under § 1301 will be terminated in all respects.

5. The provisions of Fed. R. Bank. P. 4001(a)(3) are waived.

6. IT IS FURTHER ORDERED that MidFirst Bank is relieved of the duty of filing and serving Notices of Payment Change and/or Notices of Post-Petition Fees, Expenses and Charges as required by FRBP 3002.1(b) and FRBP 3002.1(c).

7. The parties agree that the Creditor shall receive no payments though the plan on account of Court Claim No. 12.

8. Any creditor or interested party shall have twenty-one (21) days from the entry of this Order to object to the relief granted herein. If a timely objection is filed, the Court shall set a hearing on the objection on an expedited basis. If no timely objection is filed, this Order shall be and become final.

9. That in the event the Property is foreclosed, any funds to which the Debtor may be entitled in excess of the amount due shall be paid to the Trustee by the entity receiving the funds from the foreclosure sale for the benefit of the Estate while the Debtor remains in bankruptcy. Any excess funds that are paid for the benefit of the estate are to be first applied to general unsecured creditors, and the percent to be paid to general unsecured creditors shall be adjusted as said funds permit.

APPROVED FOR ENTRY:

/s/ Bonnie Culp

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/s/ Jennifer K. Cruseturner

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